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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,057	06/27/2003	Anthonius A.J. De Graaff	0142-0411P	4155
2292 7590 03/09/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER ZHENG, JACKY X	
			ART UNIT	PAPER NUMBER
			2625	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/09/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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mailroom@bskb.com

Office Action Summary

Application No.

10/607,057

Applicant(s)

DE GRAAFF ET AL.

Examiner

Jacky X. Zheng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 27, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on June 27, 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/27/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is the initial office action based on the application filed on June 27, 2003.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on June 27, 2003 was filed on the mailing date of the application on June 27, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "36" has been used to designate "one or more terminals". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 2-4** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 2 recites the limitations of “in more detail a section of the displayed preview image”. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. This also affects the dependent Claims 3-4. Further clarification is required.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over **EP 0589724** (Published on March 30, 1994, hereinafter refer as “**Searby**”) with **Applicant’s admitted prior art** (Application No. 10/607,057) and further in views of **Patton et al. (U.S. 6,795,209)**, **Zhou (U.S. Pub. No. 2002/0015447)** and **Baggs et al. (U.S. Pub. No. 2003/0231801)**.

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With regard to claims 1-5, the claims are drawn to an image scanning and processing system. Admitted prior art discloses that the limitation of: “checking whether the scan resolution is high enough to show all the detail in critical region”, “operator be able to select certain regions in the scanned images”, and “able to view them at the resolution used to scan the original” are known from EP 0589724 (“Searby”), and further discloses that this publication further disclose the limitations such as “electronic image processing system” with “storing unit”, “a viewing store”, “a monitor” for displaying, and image data being “down converted”, then “written to a destination area” performed by “the control processor” (*See Specification of instant Application (No. 10,607,057), Paragraphs i.e. [004] & [005]; and Searby, i.e. Figure 1 and Claims 1 and 15*).

Searby does not *explicitly* disclose the limitations of “selection frame” being “resizable” and “movable”.

However, Patton et al. disclose the limitations of having a user interface for making a selection of a interested image, and capable of allowing the selection to be “resizable” and “movable” (*See i.e. Figure 7, and Column 8, lines 38-59*).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to have modified Searby to include the limitations of “selection frame” being “resizable” and “movable” taught by Patton et al. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified Searby by the teachings of Patton et al. to include the limitations of “selection frame” being “resizable” and “movable” taught by Patton et al. *for allowing the easier accesses of modification of the images for the customers (See “Background of Invention” in Patton et al.)*.

Patton et al. do not *explicitly* disclose the limitations of converting the data format before previewing or being display.

However, Zhou discloses the limitations of converting of data format of the data collected by CCD and converted the data to NTSC format for displaying on the LCD screen (*See Zhou, Paragraph [0040]*).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Searby and Patton et al. to include the limitations of converting the data format before previewing or being display taught by Zhou. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Searby and Patton et al. by the teachings of Zhou to include the limitations of converting the data format before previewing or being display taught by Zhou, *for proper previewing the image on LCD or TV* (*See Zhou, Paragraph [0040]*).

Zhou does not *explicitly* disclose the limitations of detection of the “artifacts” associated with preview images.

However, Baggs et al. disclose the limitations of detecting the presence of visual artifacts (*See Baggs et al., i.e. Claims 1, 23 and “Abstract”*).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Searby, Patton et al., and Zhou to include the limitations of detection of the “artifacts” associated with preview images taught by Baggs et al. It would have been obvious to one of ordinary skill in the art at the time of invention to have

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modified the teachings of Searby, Patton et al., and Zhou by the teachings of Baggs et al. to include the limitations of detection of the “artifacts” associated with preview images taught by Baggs et al., *for improving the quality of a digital image of a document (See Baggs et al. Paragraph [0003]).*

10. **Claims 6-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over **EP 0589724** (Published on March 30, 1994, hereinafter refer as “**Searby**”) with Applicant’s admitted prior art (Application No. 10/607,057), **Patton et al. (U.S. 6,795,209)**, **Zhou (U.S. Pub. No. 2002/0015447)**, **Baggs et al. (U.S. Pub. No. 2003/0231801)**, and further in views of Ishikawa (**U.S. 2002/0140987**).

With regard to Claims 6-16, the claims are drawn to a method of scanning and processing an image, comprising the identical limitations recited in Claims 1-5 above, and further drawn to the limitation of compressing the image data prior to the conversion of the image data format. Claims 6-16 are rejected under the identical grounds set forth in Claims 1-5 above, and further in view of Ishikawa.

Searby, Patton et al., Zhou, and Baggs et al. do not *explicitly* disclose the limitation of compressing the image data prior to the conversion of the image data format.

However, Ishikawa discloses the limitation of compressing the image data (such as obtained by scanner) prior to the conversion of the image data format, particularly being compressed using “the MH encoding method” first, and then converted to “TIFF-F format” (*See Ishikawa, Paragraph [0050]*).

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Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Searby, Patton et al., Zhou, and Baggs et al. to include the limitation of compressing the image data prior to the conversion of the image data format taught by Ishikawa. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Searby, Patton et al., Zhou, and Baggs et al. by the teachings of Ishikawa to include the limitation of compressing the image data prior to the conversion of the image data format taught by Ishikawa, *for the purpose of compatibility (See Ishikawa, Paragraph [0050])*.

With regard to claim 17, the claim is drawn to a method of selecting a plurality of master files comprising data encoding scanned images, and further having the identical limitations mentioned in the abovementioned claims. The claim is rejected under the identical grounds set forth in the previously mentioned claims (*See the detailed discussions of the claims above*).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacky X. Zheng whose telephone number is (571) 270-1122. The examiner can *normally* be reached on Monday-Friday, 7:30 a.m.-5p.m., Alt. Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jacky X. Zheng
Division: 2625
Date: March 3, 2007


TWYLER LAMB
SUPERVISORY PATENT EXAMINER